Remarks

Applicants wish to thank the Examiner for the careful consideration given this case. Claims 6-14 are pending in this application. Claims 6-14 stand rejected as unpatentable over Guo '500 ("Guo"), or Guerin '939, Ong '606 ("Ong"); or Guerin '320.

Rejection under 35 U.S.C. § 103(a)

Claims 6-14 stand rejected under 35 USC § 103(a) as being unpatentable over Guo in view of Guerin '939, Ong or Guerin '320. Applicants traverse this ground of rejection and incorporate their preceding comments.

As previously argued, Guo does not teach or suggest the present invention, namely the detailed claimed self-supporting article. Applicants further submit the teachings of Guerin '939, Ong and Guerin '320 do not overcome the deficiencies in the primary reference, Guo.

Guo discloses a hydrogenated carboxylated NBR (HXNBR). Guo further disclosed that HXNBR may be used in the manufacture of shaped articles, such as seals, belts and hoses. See Paragraph 0032. Despite the generalization by the Examiner, Guo does not suggest to use HXNBR as a tape. Rather, due to its abrasion resistance, Guo discloses the use of HXNBR in high hardness roll applications. While the Examiner has interjected in Paragraph 14 of the Final Office Action that a roll is a tape (See parenthetical insertion of (tape)), a roll is in fact not a tape. Guo only teaches the use of HXNBR in high modulus and high abrasion resistant roll applications in, for example, paper industry roll, printing rolls, or textile rolls. For illustration, Applicants herein submit a number of pictures displaying such roll applications. Clearly such an application is not a tape as parenthetically stated in the Final Office Action. Guo does not teach or suggest layering or interposing the claimed composite between one or more supporting means. Further, Guo does not teach or suggest and HXNBR with the claimed Mooney below 10 and polydispersity index.

Applicants submit even in combination with Guerin '939, Ong or Guerin '320 the secondary references fail to make up the deficiencies in Guo. As discussed in previous responses, Guerin discloses a polymer composite comprising at least one optionally hydrogenated nitrile rubber polymer having a Mooney viscosity below 30, at least one

filler and optionally at least one crosslinking agent. Guerin further discloses the use of such nitrile rubber form the manufacture of shaped articles generally. For example, Guerin broadly teaches the use of such rubber in the manufacture of a seal, hose, bearing pad, stator, well head seal, etc. Guerin does not teach or suggest the claimed low Mooney HXNBR, nor does it disclose a use thereof as an adhesive. Further, Ong only discloses a polymer blend containing at least one nitrile rubber having a Mooney viscosity below 10 and at least one nitrile rubber polymer having a Mooney viscosity above 30, wherein the polymer blend has a multi-modal molecular weight distribution. Ong further discloses the use of such nitrile rubber for the manufacture of shaped articles generally. Ong does not teach or suggest the claimed adhesive shaped article.

Obviousness-type Double Patenting Rejection

Claims 6 and 9 stand provisionally rejected as unpatenable over claims 6 and 7 of co-pending Application No. 10/878,080 ("'080 Application"). The '080 Application is abandoned as of February 7, 2008. Applicants filed a continuing application claiming priority to the '080 Application, which was assigned Application No. 11/973,064 ("'064 Application").

Applicants submit, until allowable subject matter is identified in either the pending Application or the co-pending Application, it is premature to file a terminal disclaimer. See MPEP Section 804.

Applicants' wish to thank the Examiner for the careful consideration he has given this case. It is respectfully submitted that the instant application is presently in condition for allowance. Note to the effect is earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

The USPTO is hereby authorized to charge any fees for an extension of time or those under 37 C.F.R. 1.16 or 1.17, which may be required by this paper, including Terminal Disclaimers, and/or to credit any overpayments to Deposit Account No. 50-2527.

Respectfully submitted,

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APPENDIX









